



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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MAR 04 2016

Cindy Bladey
Chief, Rules, Announcements, and Directives Branch
Office of Administration
Mail Stop: OWFN-12-H08
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

RE: Docket ID NRC-2008-0672; Generic Environmental Impact Statement for License Renewal of Nuclear Plants: Supplement 38 Regarding Indian Point Nuclear Generating Unit Nos. 2 and 3 – Draft Report for Comment (NUREG-1437, Supplement 38, Volume 5) - Rating EC-2

Dear Ms. Bladey:

In accordance with Section 309 of the Clean Air Act and the National Environmental Policy Act (NEPA), the U.S. Environmental Protection Agency has reviewed the Nuclear Regulatory Commission's (NRC) Draft Second Supplement (CEQ#20150364), to the final supplemental environmental impact statement (EIS) for the proposed renewal of the operating licenses for the Indian Point Nuclear Generating Units Nos. 2 and 3 (IP2 and IP3). The Indian Point Energy Center (IPEC) is located in Westchester County in the Village of Buchanan, New York, approximately 24 miles north of New York City.

This supplement includes the NRC staff's evaluation of revised engineering project cost information for several accident mitigation alternatives; newly available aquatic impact information; the additional environmental issues associated with license renewal resulting from the June 2013 revision to Table B-1 in Appendix B to Subpart A of Title 10 of the Code of Federal Regulations Part 51 and NUREG-1437, *Generic Environmental Impact Statement for License Renewal of Nuclear Plants*; and incorporates the impact determinations of NUREG-2157, *Generic Environmental Impact Statement of Continued Storage of Spent Nuclear Fuel*, in accordance with the requirements in 10 DFR 51.23(b). Additionally, the supplement describes the re-initiation of consultation under Section 7 of the Endangered Species Act regarding the northern long-eared bat (*Myotis septentrionalis*).

In June 2013, the NRC revised its regulations regarding which environmental issues associated with license renewal are common to all plants and therefore should be analyzed in the Generic EIS and which should be analyzed in the plant-specific EISs. "Radionuclides released to groundwater" was added to the issues identified as those that do not lend themselves to generic consideration, and therefore is discussed in this Draft Second Supplement. While information is provided on this issue in the document, EPA has become aware of another tritium leak in the

EPA is rating this second supplement EC-2 (Environmental Concerns Information). Thank you for the opportunity to comment. If you have any questions, please call Lingard Knutson, Environmental Scientist at (212) 637-3747 or Knutson.lingard@epa.gov.

Sincerely yours,

A handwritten signature in cursive script, reading "Judy-Ann Mitchell". The signature is written in dark ink and is positioned above the printed name.

Judy-Ann Mitchell, Chief
Sustainability and Multimedia Programs Branch

Enclosure